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16*

RS-04-173

November 15, 2004

Mr. Michael T. Lesar  
Chief, Rules and Directives Branch  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

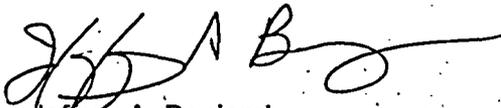
**Subject:** Proposed Generic Communication; Establishing and Maintaining a Safety Conscious Work Environment

**Reference:** Letter from Charles M. Dugger (Nuclear Energy Institute) to U.S. NRC, "Proposed Generic Communication; Establishing and Maintaining a Safety Conscious Work Environment (69 Fed Reg. 61049; October 14, 2004)," dated November 15, 2004

Exelon Generation Company, LLC (EGC) and AmerGen Energy Company, LLC (AmerGen) appreciate the opportunity to provide comments on the proposed generic communication regarding the establishment of a safety conscious work environment (SCWE) noticed in the Federal Register on October 14, 2004 (69 FR 61049). EGC and AmerGen place a high priority on establishing and maintaining a SCWE, and view the proposed generic communication as a compilation of potential measures to assist in this effort. We are concerned that the guidance in the document may unintentionally result in the view that licensees must implement all of the guidance in order to have a healthy SCWE. As such, we endorse the detailed comments on the draft document provided by the Nuclear Energy Institute in the referenced letter, which generally are intended to clarify that the intent of the document is to provide best practices rather than specific regulatory guidance.

Please contact Mr. Allan R. Haeger at 630 657-2807 regarding any questions about this letter.

Respectfully,



Jeffrey A. Benjamin  
Vice President – Licensing and Regulatory Affairs  
Exelon Generation Company, LLC  
AmerGen Energy Company, LLC

*SISP Review Complete  
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acc = A. Markley (AWM)*